

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Dr. Tara Gustilo, M.D.,

22-CV-00352 (SRN-DJF)

Plaintiff,

v.

**DECLARATION OF  
MATTHEW S. FRANTZEN**

Hennepin Healthcare System, Inc.

Defendant.

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I, Matthew S. Frantzen, declare that I am one of the attorneys representing Defendant Hennepin Healthcare System, Inc. in this matter and that I believe the following:

1. Attached hereto as Exhibit 1 is a true and correct copy of the August 5, 2020, HHS Board of Directors resolution.
2. Attached hereto as Exhibit 2 is a true and correct copy of Dr. David Hilden's January 3, 2022, deposition transcript.
3. Attached hereto as Exhibit 3 is a true and correct copy of Dr. David Hilden's May 15, 2023, Rule 30(b)(6) deposition transcript.
4. Attached hereto as Exhibit 4 is a true and correct copy of Dr. Tara Gustilo's CV.
5. Attached hereto as Exhibit 5 is a true and correct copy of Dr. Tara Gustilo's February 6, 2022, Complaint.
6. Attached hereto as Exhibit 6 is a true and correct copy of Dr. Tara Gustilo's March 3, 2022, correspondence.
7. Attached hereto as Exhibit 7 is a true and correct copy of Dr. Tara Gustilo's Tennova profile.
8. Attached hereto as Exhibit 8 is a true and correct copy of Dr. Tara Gustilo's March 30, 2023, deposition transcript.

9. Attached hereto as Exhibit 9 is a true and correct copy of the April 13, 2021, Medical Executive Committee Meeting packet.
10. Attached hereto as Exhibit 10 is a true and correct copy of Dr. Tara Gustilo's 2018 performance review.
11. Attached hereto as Exhibit 11 is a true and correct copy of Dr. Tara Gustilo's 2019 performance review.
12. Attached hereto as Exhibit 12 is a true and correct copy of the March 7, 2017, Human Resources memorandum sent to Dr. Tara Gustilo.
13. Attached hereto as Exhibit 13 is a true and correct copy of the November 16, 2022, deposition transcript of Jennifer Hauff.
14. Attached hereto as Exhibit 14 is a true and correct copy of the 2019 Provider Engagement survey.
15. Attached hereto as Exhibit 15 is a true and correct copy of Dr. Laura Nezworski's December 6, 2022, deposition transcript.
16. Attached hereto as Exhibit 16 is a true and correct copy of a June 1, 2020 – June 2, 2020, email string.
17. Attached hereto as Exhibit 17 is a true and correct copy of a June 3, 2020 – June 4, 2020, email string.
18. Attached hereto as Exhibit 18 is a true and correct copy of Dr. Tara Gustilo's proposed edits to the George Floyd letter.
19. Attached hereto as Exhibit 19 is a true and correct copy of Dr. Tara Gustilo's June 3, 2020, email.
20. Attached hereto as Exhibit 20 is a true and correct copy of a June 6, 2020, article published in the St. Paul Pioneer Press.
21. Attached hereto as Exhibit 21 is a true and correct copy of a June 1, 2020 – June 2, 2020, email string.
22. Attached hereto as Exhibit 22 is a true and correct copy of Dr. Tara Gustilo's June 5, 2020, email.

23. Attached hereto as Exhibit 23 is a true and correct copy of Dr. Tara Gustilo's June 9, 2020, email.
24. Attached hereto as Exhibit 24 is a true and correct copy of a June 9, 2020 – June 23, 2020, email string.
25. Attached hereto as Exhibit 25 are true and correct copies of posts from Dr. Tara Gustilo's public Facebook and Twitter accounts produced by HHS in discovery.
26. Attached hereto as Exhibit 26 is a true and correct copy of the April 2, 2020, Mpls. St. Paul Magazine article.
27. Attached hereto as Exhibit 27 are true and correct copies of Dr. Helen Kim's October 1, 2020, emails.
28. Attached hereto as Exhibit 28 are true and correct copies of posts from Dr. Tara Gustilo's public Facebook account that she produced in discovery.
29. Attached hereto as Exhibit 29 is a true and correct copy of Dr. Ryan Fey's March 14, 2023, deposition transcript.
30. Attached hereto as Exhibit 30 is a true and correct copy of Sylvia Lotz's December 26, 2021, email.
31. Attached hereto as Exhibit 31 is a true and correct copy of Jennifer Hauff's September 18, 2020, notes.
32. Attached hereto as Exhibit 32 is a true and correct copy of Dr. David Hilden's September 28, 2020, email.
33. Attached hereto as Exhibit 33 is a true and correct copy of Dr. Daniel Hoody's November 7, 2022, deposition transcript.
34. Attached hereto as Exhibit 34 is a true and correct copy of the October 9, 2020 – October 10, 2020, email string.
35. Attached hereto as Exhibit 35 is a true and correct copy of the HHS Personal and Social Media Communications policy.
36. Attached hereto as Exhibit 36 is a true and correct copy of the October 9, 2020 – October 13, 2020, email string.

37. Attached hereto as Exhibit 37 is a true and correct copy of Dr. Tracy Prosen's October 8, 2020 (2:50 p.m.), email.
38. Attached hereto as Exhibit 38 is a true and correct copy of Dr. Tracy Prosen's October 8, 2020 (6:49 p.m.), email.
39. Attached hereto as Exhibit 39 is a true and correct copy of Dr. Tara Gustilo's November 2, 2020 (8:57 p.m.), email.
40. Attached hereto as Exhibit 40 is a true and correct copy of Dr. Tara Gustilo's November 2, 2020 (9:00 p.m.), email.
41. Attached hereto as Exhibit 41 is a true and correct copy of the November 13, 2020, Human Systems Dynamics Institute proposal.
42. Attached hereto as Exhibit 42 is a true and correct copy of the November 16, 2020, email string.
43. Attached hereto as Exhibit 43 is a true and correct copy of the November 17, 2020, email string between Glenda Eoyang and Dr. Tara Gustilo.
44. Attached hereto as Exhibit 44 is a true and correct copy of the November 17, 2020, email string between Glenda Eoyang and Dr. David Hilden.
45. Attached hereto as Exhibit 45 is a true and correct copy of the November 24, 2020, email string.
46. Attached hereto as Exhibit 46 is a true and correct transcript of the interview of Dr. Elizabeth Alabi conducted by Human Systems Dynamics Institute.
47. Attached hereto as Exhibit 47 is a true and correct transcript of the interview of Gina Braun conducted by Human Systems Dynamics Institute.
48. Attached hereto as Exhibit 48 is a true and correct transcript of the interview of Dr. Danielle Dempsey conducted by Human Systems Dynamics Institute.
49. Attached hereto as Exhibit 49 is a true and correct transcript of the interview of Dr. Elizabeth Doty conducted by Human Systems Dynamics Institute.
50. Attached hereto as Exhibit 50 is a true and correct transcript of the interview of Dr. Tara Gustilo conducted by Human Systems Dynamics Institute.

51. Attached hereto as Exhibit 51 is a true and correct transcript of the interview of Dr. Eric Heegaard (Parts 1 and 2) conducted by Human Systems Dynamics Institute.
52. Attached hereto as Exhibit 52 is a true and correct transcript of the interview of Jessica Holmes conducted by Human Systems Dynamics Institute.
53. Attached hereto as Exhibit 53 is a true and correct transcript of the interview of Dr. Laura Nezworski conducted by Human Systems Dynamics Institute.
54. Attached hereto as Exhibit 54 is a true and correct transcript of the interview of Dr. Samantha Pace conducted by Human Systems Dynamics Institute.
55. Attached hereto as Exhibit 55 is a true and correct transcript of the interview of Dr. Rebecca Petersen conducted by Human Systems Dynamics Institute.
56. Attached hereto as Exhibit 56 is a true and correct transcript of the interview of Dr. Tracy Prosen conducted by Human Systems Dynamics Institute.
57. Attached hereto as Exhibit 57 is a true and correct transcript of the interview of Dr. Elizabeth Royce-Holl conducted by Human Systems Dynamics Institute.
58. Attached hereto as Exhibit 58 is a true and correct copy of the interview notes of Sylvia Lotz taken by Human Systems Dynamics Institute.
59. Attached hereto as Exhibit 59 is a true and correct copy of the interview notes of Dr. Sally Zannotto taken by Human Systems Dynamics Institute.
60. Attached hereto as Exhibit 60 is a true and correct copy of Glenda Eoyang's December 22, 2020, email.
61. Attached hereto as Exhibit 61 is a true and correct copy of the December 22, 2020 – December 24, 2020, email string.
62. Attached hereto as Exhibit 62 is a true and correct copy of Dr. David Hilden's December 23, 2020, notes.
63. Attached hereto as Exhibit 63 is a true and correct copy of the December 23, 2020 – December 28, 2020, email string.
64. Attached hereto as Exhibit 64 is a true and correct copy of the January 5, 2021, Human Systems Dynamics Institute report.

65. Attached hereto as Exhibit 65 is a true and correct copy of the February 2021 360 Review report.
66. Attached hereto as Exhibit 66 is a true and correct copy of the January 15, 2021, meeting notes.
67. Attached hereto as Exhibit 67 is a true and correct transcript of the January 8, 2021, meeting surreptitiously recorded by Dr. Tara Gustilo.
68. Attached hereto as Exhibit 68 is a true and correct transcript of the January 15, 2021, meeting surreptitiously recorded by Dr. Tara Gustilo.
69. Attached hereto as Exhibit 69 is a true and correct transcript of the January 22, 2021, meeting surreptitiously recorded by Dr. Tara Gustilo.
70. Attached hereto as Exhibit 70 is a true and correct transcript of the February 3, 2021, meeting surreptitiously recorded by Dr. Tara Gustilo.
71. Attached hereto as Exhibit 71 is a true and correct transcript of the March 1, 2021, meeting surreptitiously recorded by Dr. Tara Gustilo.
72. Attached hereto as Exhibit 72 is a true and correct transcript of the March 10, 2021, meeting surreptitiously recorded by Dr. Tara Gustilo.
73. Attached hereto as Exhibit 73 is a true and correct copy of Dr. Tara Gustilo's January 15, 2021, letter.
74. Attached hereto as Exhibit 74 is a true and correct copy of Dr. Daniel Hoody's January 22, 2021, letter.
75. Attached hereto as Exhibit 75 is a true and correct copy of the HHS Ob/Gyn department's March 8, 2021, letter.
76. Attached hereto as Exhibit 76 is a true and correct copy of the Medical Executive Committee packet prepared by Dr. Tara Gustilo.
77. Attached hereto as Exhibit 77 is a true and correct copy of Stephanie Johnson's April 9, 2021, email.
78. Attached hereto as Exhibit 78 is a true and correct copy of Dr. David Hilden's Medical Executive Committee meeting presentation outline.

79. Attached hereto as Exhibit 79 is a true and correct copy of the April 13, 2021, Medical Executive Committee minutes.
80. Attached hereto as Exhibit 80 is a true and correct copy of Dr. David Hilden's April 21, 2021, memorandum to the HHS Board of Directors.
81. Attached hereto as Exhibit 81 is a true and correct copy of the April 28, 2021, HHS Board of Directors resolution.
82. Attached hereto as Exhibit 82 is a true and correct copy of the Charge of Discrimination that Dr. Tara Gustilo filed with the Equal Employment Opportunity Commission.
83. Attached hereto as Exhibit 83 is a true and correct copy of Dr. Tara Gustilo's March 30, 2023, Second Supplemental Responses to Defendant's First Set of Interrogatories.
84. Attached hereto as Exhibit 84 is a true and correct copy of Dr. Paul Stahler's March 7, 2023, deposition transcript.
85. Attached hereto as Exhibit 85 is a true and correct copy of Dr. Laura Schrag's March 8, 2023, deposition transcript.
86. Attached hereto as Exhibit 86 is a true and correct copy of Dr. Kevin Engel's March 14, 2023, deposition transcript.
87. Attached hereto as Exhibit 87 is a true and correct copy of Dr. Bradley Linzie's March 14, 2023, deposition transcript.
88. Attached hereto as Exhibit 88 is a true and correct copy of Dr. Constantin Starchook's March 14, 2023, deposition transcript.
89. Attached hereto as Exhibit 89 is a true and correct copy of Dr. Andrew Schmidt's March 15, 2023, deposition transcript.
90. Attached hereto as Exhibit 90 is a true and correct copy of Dr. James Miner's March 13, 2023, deposition transcript.
91. Attached hereto as Exhibit 91 is a true and correct copy of Dr. Eduardo Colon Navarro's March 15, 2023, deposition transcript.
92. Attached hereto as Exhibit 92 is a true and correct copy of Dr. Diana Cutts's March 16, 2023, deposition transcript.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: August 16, 2023

By: Matthew S. Frantzen  
Matthew S. Frantzen